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19 ATTORNEYS FOR JOHN MATTHEW CHAPMAN
20

21 **UNITED STATES DISTRICT COURT**

22 **DISTRICT OF NEVADA**

23 UNITED STATES OF AMERICA,

25 Plaintiff,

26 v.

JOHN MATTHEW CHAPMAN,

Defendant.

Case No. 2:20-cr-00091-JCM-DJA

**MOTION TO WITHDRAW AS
COUNSEL**

1 Attorney Theresa M. Duncan respectfully moves to withdraw as counsel for Defendant
2 John Chapman. Because the indictment charged Mr. Chapman with a death-eligible offense,
3 the Court appointed Ms. Duncan as learned counsel on July 13, 2020. ECF No. 32. On July
4 13, 2023, the government filed a Notice of Intent Not to Seek the Death Penalty. ECF No.
5 101. Because Mr. Chapman no longer faces the possibility of a death sentence, he is no longer
6 entitled to learned counsel. Furthermore, Mr. Chapman has, since the beginning of this case,
7 been represented by diligent, competent and qualified counsel from the Federal Public
8 Defender. Thus, Ms. Duncan's services are no longer required in this case.
9

10 For the foregoing reasons, Ms. Duncan asks the Court to allow her to withdraw as
11 counsel for Mr. Chapman.

13 Respectfully submitted,
14

15 **IT IS SO ORDERED.**

16 DATED: 9/7/2023
17 
18 DANIEL J. ALBRECHTS
19 UNITED STATES MAGISTRATE JUDGE

/s/ Theresa M. Duncan
Theresa M. Duncan
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20 Attorney for Defendant John Matthew Chapman

21 **CERTIFICATE OF SERVICE**

22 I hereby certify that a true and correct copy of the foregoing pleading was served on
23 all parties by operation of the Court's CM/ECF electronic filing system on September 6,
24 2023.

26 /s/ Theresa M. Duncan
Theresa M. Duncan